

● PRINTER RUSH ●
(PTO ASSISTANCE)

Application : <u>10/035,745</u>	Examiner : <u>Schaetzle</u>	GAU : <u>3766</u>
From: <u>DP</u>	Location: <u>IDC</u> FMF FDC	Date: <u>12/2/2005</u>


Tracking #: EPM 10/035,745 Week Date: 11/28/2005

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449	_____	<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS	_____	<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM	_____	<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW	_____	<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW	_____	<input type="checkbox"/> Other
<input type="checkbox"/> DRW	_____	
<input checked="" type="checkbox"/> OATH	<u>12/28/2001</u>	
<input type="checkbox"/> 312	_____	
<input type="checkbox"/> SPEC	_____	

[RUSH] MESSAGE: <u>Signature for Anne M. Pianca and carla M. Mann</u> <u>is missing from the oath/declaration.</u>
<u>Thank you.</u>

[XRUSH] RESPONSE: _____
<u>See misc comm</u>
<u>DONE</u>
INITIALS: <u>PD</u>

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.
REV 10/04


 <p>25129 Rye Canyon Loop Valencia, CA 91355</p>	<h2 style="text-align: center;">FAX TRANSMITTAL</h2> <p>To: US Patent & Trademark Office Rori Burch USPTO Publishing Division phone (703) 305-0333 ext. 135</p> <p>Fax: (703) 308-6642</p> <p>From: Victoria A. Poissant phone (661) 362-1923 fax (661) 362-1507</p> <p>Date: January 10, 2006</p> <p>Pages: Eight (8), Including Cover Page</p> <p>Re: Notice to File Corrected Application Papers (37 CFR 1.136) dated December 21, 2005 for S/N 10/035,745; Filed: December 28, 2001 Attorney Docket No.: AB-164U</p>	<h3 style="text-align: center;">Certificate of Transmission</h3> <p>I hereby certify this correspondence, including the papers listed, is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (571) 273-8300</p> <p>on this date: <u>January 10, 2006</u></p> <p>Typed Name: <u>Marci Goldstein</u></p> <p>Signature: <u>Marci Goldstein</u></p> <p>Date: <u>January 10, 2006</u></p>
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MESSAGE:

Please find attached:

- Copy of Notice to File Corrected Application Papers (37 CFR 1.136) dated December 21, 2005 for **S/N 10/035,745** (2 pages)
- Copy of postcard from PTO confirming receipt of Response to Notice to File Missing Parts (37 CFR 1.53(b), mailed March 4, 2002 (1 page)
- Copy of Response to Notice to File Missing Parts (37 CFR 1.53(b), mailed February 8, 2002, for Application **Serial Number 10/035,745** (1 page)
- Copy of Notice to File Missing Parts (37 CFR 1.53(b), mailed January 30, 2002 for Application **Serial Number 10/035,745** (1 page)
- Copy of Declaration and Power of Attorney for Patent Application from inventors Pianca and Mann (2 pages)

Thank you,


Victoria A. Poissant
Reg. No. 56,871
(661) 362-1923

[x] Please Acknowledge Receipt of This Communication.**CONFIDENTIALITY NOTICE**

The documents accompanying this transmission may contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosures, copying, distributions, or the taking of any action in reliance on the contents of this telefaxed information is **strictly prohibited**.

If you received this communication in error, please call (661) 362-1923 to report such error. To communicate with us by FAX, please dial (661) 362-1507. We receive fax transmissions automatically, 24-hours a day.

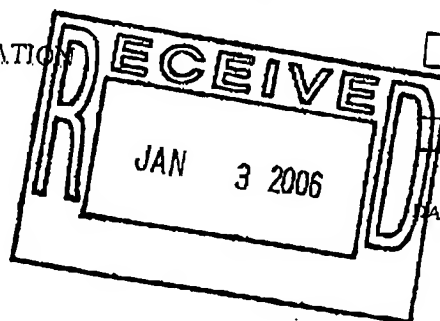


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,745	12/28/2001	Anne M. Pianca	AB-164U	3645

23845 7590 12/21/2005
ADVANCED BIONICS CORPORATION
25129 RYE CANYON ROAD
VALENCIA, CA 91355



EXAMINER
SCHAEZLE, KENNEDY
ART UNIT
3766
PAPER NUMBER

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
10035745

Date Mailed
12/21/05

NOTICE TO FILE CORRECTED APPLICATION PAPERS***Notice of Allowance Mailed***

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

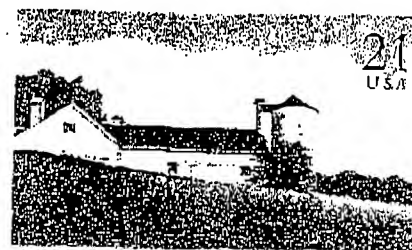
Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- ♦ Signatures for 1st and 2nd inventors are missing from the oath/declaration/ADS. No petition under Rule 1.47 filed. Fax missing information to number below.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Rori Burch
USPTO
Publishing Division
Fax (703) 746-6830
Fax (703) 308-6642
703-305-0333 ext.135 (V)



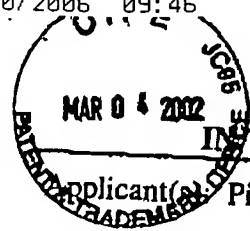
Rose Avila
Advanced Bionics Corporation
12740 San Fernando Road
Sylmar, CA 91342

Receipt is hereby acknowledged of the items listed below mailed
February 8, 2002, for Atty Docket No. AB-164U,
Serial No. 10/035,745: *AB*

- Response to Notice to File Missing Parts (1 page)
- Copy of Notice to File Missing Parts (1 page)
- Declaration and Power of Attorney for Patent Application from inventors Pianca and Mann (2 pages)



BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pianca, et al.

Application No.: 10/035,745Filed: 12/28/2001Title: Systems and Methods of Implanting a Lead for Brain StimulationAttorney Docket No.: AB-164U

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: February 8, 2002

Typed Name: Rose Avila

Rose Avila

COPY OF PAPERS
ORIGINALLY FILEDRESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- (X) Executed Declaration and Power of Attorney for inventors Anne M. Pianca and Carla M. Mann. The above-identified application is the same application which the inventors executed by signing the enclosed declaration.
- (X) Missing Parts Surcharge \$130.00

Please charge \$ 130.00 as The Missing Parts Surcharge to Deposit Account No. 50-0648 pursuant to 37 CFR § 1.25. At any time during the pendency of this application, the Commissioner is hereby authorized to charge any fees required under 37 CFR §§ 1.16 or 1.17 or credit any overpayment to this Deposit Account.

~~duplicate copy of this sheet is enclosed for processing and this Deposit Account~~

Correspondence Address: Advanced Bionics Corporation
12740 San Fernando Rd.
Sylmar, CA 91342

Respectfully submitted,

By: 

Laura Haburay Bishop

Reg. No. 47,424

Date: February 8, 2002

Telephone No.: 661-362-1906



23845

PATENT TRADEMARK OFFICE



MAR 04 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/035,745	12/28/2001	Anne M. Pianca	AB-164U

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

000023845

ADVANCED BIONICS CORPORATION
12740 SAN FERNANDO ROAD
SYLMAR, CA 91342COPY OF PAPERS
ORIGINALLY FILED

CONFIRMATION NO. 3645

FORMALITIES LETTER



OC000000007380834

Date Mailed: 01/30/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/2002 TBESHAH1 00000022 500648 10035745

FC:105

130.00 CH

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION****PATENT APPLICATION**ATTORNEY DOCKET NO. AB-164U

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Systems and Methods of Implanting a Lead for Brain Stimulation

the specification of which is attached hereto unless the following box is checked:

(X) was filed on December 28, 2001 as US Application Serial Number 10/035,745.

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: NO:
			YES: NO:

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE
60/258,767	12/29/2000

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Bryant R. Gold, Reg. No. 29715

Kenneth L. Green, Reg. No. 44724

Laura Haburay Bishop, Reg. No. 47424

Send Correspondence to:Bryant R. Gold
Advanced Bionics Corporation
12740 San Fernando Rd.
Sylmar, CA 91342**Direct Telephone Calls To:**Laura Haburay Bishop
(661) 362-1906

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Anne M. PiancaResidence: 24450 Valencia Blvd., #6106, Valencia, CA US 91355Post Office Address: SameCitizenship: US

Inventor's Signature

Date

02/07/02

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION (continued)

ATTORNEY DOCKET NO. AB-164U

Full Name of Inventor: Carla M. Mann

Citizenship: US

Residence: 823 N. Mansfield, Los Angeles, CA US 20030

Post Office Address: Same

Carla Mann
Inventor's Signature

2/6/02
Date